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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re Merrill Lynch Auction Rate Securities
Litigation
-----X

This Document Relates To:
No. 09 Civ. 5403 (LAP)

COMMUNITY TRUST BANK, INC.,
Plaintiff,

09 MD 2030 (LAP)

-against-

JUDGMENT

MERRILL LYNCH, PIERCE, FENNER
& SMITH INC.,
Defendant.
-----X

Defendant having moved to dismiss the Second Amended Complaint, and the matter having come before the Honorable Loretta A. Preska, United States District Judge, and the Court, on January 24, 2011, having rendered its Memorandum and Order granting defendant's motion to dismiss in its entirety, and dismissing plaintiff's claims with prejudice, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum and Order dated January 24, 2011, defendant's motion to dismiss is granted in its entirety, and plaintiff's claims are dismissed with prejudice; accordingly, the case is closed and all pending motions are denied as moot.

Dated: New York, New York
January 26, 2011

RUBY J. KRAJICK

Clerk of Court

BY:

Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____